



Entered on Docket
February 09, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LAW OFFICES OF BARRY LEVINSON
BARRY LEVINSON, ESQ.
Nevada Bar No.: 006721
JEREMY MONEDJAR, ESQ.
Nevada Bar No.: 11213
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Attorney for Debtor

E-FILED: 2/8/10

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:)	Case No. BKS-09-27550-LBR
)	Chapter 13
BRYAN E. COWLEY)	
LAURA A. COWLEY)	
)	
Debtor(s).)	Hearing Date: January 7, 2010
)	Hearing Time: 2:30 pm
)	
)	
)	

ORDER AVOIDING LIEN OF SECOND TRUST DEED

This matter having come on regularly for hearing on Debtors' Motion to Value Collateral, and "Strip Off" Second Trust Deed as against Debtors' residential real property; good cause appearing therefore,

IT IS HEREBY ORDERED that the security interest of COUNTRYWIDE HOME LOANS in the real property commonly known as 2830 Rosanna Street, Las Vegas, NV 89117 legally described as:

1 PARCEL MAP FILE 13 PAGE 85 LOT 2& VAC RD

2 APN 163-10-608-007

3 shall be avoided under 11 U.S.C. Sec 506(d) and set aside and that the claim of
4 such creditor(s) in these bankruptcy proceedings shall be treated as unsecured.

5
6 IT IS FURTHER ORDERED that certain Deed of Trust recorded in the
7 Office of the Clark County Recorder office, conditioned upon Debtors completing
8 the above-referenced bankruptcy proceeding and obtaining a Chapter 13
9 discharge, be removed and expunged from the county records and shall thereafter
10 no longer constitute a lien or encumbrance upon the aforesaid real property.
11

12 IT IS FURTHER ORDERED that this Order shall not be recorded with the
13 Office of County Recorder until such time as the Debtors have received their
14 Chapter 13 Discharge in this matter.
15

16 IT IS FURTHER ORDERED that nothing contained herein shall alter the
17 rights of the secured creditor upon dismissal or conversion.

18 IT IS FURTHER ORDERED that in the event the aforesaid property should
19 be sold at a foreclosure trustee sale, the lawful beneficiary of the aforesaid Deed
20 of Trust shall be entitled to receive any surplus proceeds in accordance with state
21 law.
22

23 Dated: February 8, 2010

24 Submitted by:

25 /S/ JEREMY MONDEJAR

26 JEREMY MONDEJAR, ESQ.

27 Attorney for Debtor

28 Approved as to form and content

1
2 RICK YARNALL,
3 Chapter 13 Trustee
4 **FAILED TO RESPOND**

5 COUNTRYWIDE HOME LOANS , **FAILED TO RESPOND**

6 In accordance with LR 9021, counsel submitting this document certifies as follows:

7 ☐ The court has waived the requirement of approval under LR 9021.

8 ☐ No parties appeared or filed written objections, and there is no trustee
appointed in the case.

9 ☒ I have delivered a copy of this proposed order to all counsel who appeared
10 at the hearing, any unrepresented parties who appeared at the hearing, and
11 any trustee appointed in this case, and each has approved or disapproved
the order, or failed to respond, as indicated below:

12 Trustee, failed to respond
13 COUNTRYWIDE HOME LOANS, failed to respond
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